

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.24066 of 2005

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Dated: 22.12.2005

Between:

B. Meshak, E-086951 RTC Conductor,
Ward No. 2, Near Paramjyothi Convent,
Tadepalligudem, W.G. District, Andhra Pradesh.

..... PETITIONER

AND

Depot Manager, A.P. State Road Transport Corporation,
Tadepalligudem, Eluru and others.

.....RESPONDENTS

ORDER:

The petitioner was employed as a conductor in APSRTC. When he was working in Tadepalligudem, disciplinary proceedings were initiated against him by the first respondent. Through proceedings dated 28.07.2003 the first respondent removed the petitioner from service. Aggrieved thereby, the petitioner preferred an appeal before the second respondent, and it was rejected on 24.10.2003. Thereafter, a review was filed before the third respondent, and it was also rejected on 03.03.2004. The petitioner challenges the order of removal, as confirmed in the appeal and revision.

Heard the learned counsel for the petitioner and the learned Standing Counsel for

the respondents.

The petitioner was removed from service, after conducting a departmental enquiry. A detailed discussion was undertaken by the first respondent into the acts of misconduct on the part of the petitioner. It is true that in certain cases, this Court entertained the writ petitions straight away, without requiring the employee to raise an Industrial Dispute. However, those are the cases, in which the procedural or material irregularity was pointed out. In the instant case, no such circumstance exists. The labour Court would be in a better position to appreciate the matter from a proper perspective.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioner to raise an Industrial Dispute before the appropriate Forum. There shall be no order as to costs.

22.12.2005

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